

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Employment & Training Department – Sri D.Sudarshan Rao, Principal (Retd.), Government ITI, Shadnagar, Mahaboobnagar District – Convicted by Anti Corruption Bureau Court – Pension and Gratuity withheld in full – Orders of Andhra Pradesh Administrative Tribunal, Dated: 23.01.2012 in O.A.No.5344/2009 with V.M.A.No.1980/2009 and C.A.No.242/2010 – Withdrawal of G.O.Rt.No.1076, LET&F (Vig.) Department, Dated: 18.09.2010 – Orders – Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (EMP) DEPARTMENT

G.O.Rt.No. 497

Dated: 25.04.2012.
Read the following:-

1. G.O.Ms.No.6, LET&F (Vig.) Department, dated: 28.01.2009.
2. Orders of Andhra Pradesh Administrative Tribunal, Hyderabad Dated: 21.04.2009 in O.A.No.5344/2009 filed by Sri D.Sudarshan Rao, Principal (Retd.), Government ITI, Shadnagar, Mahaboobnagar District.
3. Orders of Andhra Pradesh Administrative Tribunal, Hyderabad Dated: 24.06.2010 in C.A.No.242/2010 in O.A.No.5344/2009
4. G.O.Rt.No.1076, LET&F (Vig.) Department, Dated: 18.09.2010.
5. Orders of Andhra Pradesh Administrative Tribunal, Dated: 23.01.2012 in O.A.No.5344/2009 with V.M.A.No.1980/2009 and C.A.No.242/2010 filed by Sri D.Sudarshan Rao, Principal (Retd.), Government ITI, Shadnagar, Mahaboobnagar District.

ORDER:-

Orders were issued in G.O. 1st read above imposing the punishment of withholding of pension and gratuity in full permanently against Sri D.Sudarshan Rao, Principal (Retd.) consequent on his conviction by the Anti Corruption Bureau Court.

2. Aggrieved by the above orders, Sri D.Sudarshan Rao, Principal (Retd.) has filed O.A.No.5344 of 2009 in Andhra Pradesh Administrative Tribunal. In the reference 2nd read above, the Hon'ble Tribunal has issued an Interim Order dated: 21.04.2009 in O.A.No.5344/2009 as follows:-

“Therefore there shall be an Interim suspension of the impugned G.O.Ms.No.6, LET&F, dated: 28.01.2009 and further the respondents are directed to pay the provisional pension to the applicant, pending further orders”.

3. In the reference 3rd read above, the Andhra Pradesh Administrative Tribunal further in its order dated: 24.06.2010 in C.A.No.242/2010 in O.A.No.5344/2009 directed to comply the orders of Andhra Pradesh Administrative Tribunal, dated: 21.04.2009 within a period of four weeks.

4. In the reference 4th read above, Government have sanctioned payment of provisional pension of 75% of service pension to Sri D.Sudarshan Rao, Principal, Government ITI, Shadnagar, Mahaboobnagar District, pending conclusion of disciplinary proceedings and subject to criminal appeal pending in Andhra Pradesh High Court.

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5. In the reference 5th read above, the Hon'ble Andhra Pradesh Administrative Tribunal, in its order Dated: 23.01.2012 in O.A.No.5344/2009 with V.M.A.No.1980/2009 and C.A.No.242/2010 filed by Sri D.Sudarshan Rao, Principal (Retd.), Government ITI, Shadnagar, Mahaboobnagar District ordered as follows:-

“In view of the above facts and circumstances of the case, the relief sought for by the applicant cannot be granted. The O.A. is disposed of accordingly. C.A. and V.M.A. stand closed. However, the applicant is at liberty to file a fresh O.A. after the final outcome of the Criminal appeal before the Hon'ble High Court. No costs.”

6. In view of the above orders of Hon'ble Tribunal, Government after careful examination hereby withdraw G.O.Rt.No.1076, LET&F Department, Dated: 18.09.2010 and to impose the punishment of withholding of pension and gratuity in full permanently against Sri D.Sudarshan Rao, Principal (Retd.), Government ITI, Shadnagar, Mahaboobnagar District as ordered in G.O.Ms.No.6, LET&F (Vig.) Department, dated: 28.01.2009.

7. The Director of Employment and Training, Andhra Pradesh, Hyderabad shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.SREENIVASULU,
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director of Employment and Training, Andhra Pradesh, Hyderabad.

Copy to:

Sri D.Sudarshan Rao, Principal (Retd.), Government ITI, Shadnagar,
Mahaboobnagar thro' Director of Employment and Training, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.

//FORWARDED :: BY ORDER//

SECTION OFFICER